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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,710	02/05/2004	Jan S. Temler	IP-025287	5625
1726	7590	05/03/2006	EXAMINER	
INTERNATIONAL PAPER COMPANY 6285 TRI-RIDGE BOULEVARD LOVELAND, OH 45140			BEAUCHAINE, MARK J	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

The statement of reasons for the indication of allowable subject matter of Office action dated 21 September 2005 is hereby withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number US 6,371,304 B2 by Gambini (hereinafter "Gambini"). The paper roll conveying apparatus disclosed by Gambini incorporates belt units 15a and 15b that are arranged end to end and form opening 26 between adjacent ends of the conveyors (see Figure 1). Furthermore, the belt unit/gap arrangement transports finished rolls 12 past the opening 26 and allows crop ends 13 to drop through the opening 26 (column 3, lines 19-22). This process reads on the Applicants' step of disposing multiple conveyors to define a gap therebetween.

Gambini further discloses the step of raising and lowering tongue 36 located within opening 26 to cover the opening to varying degrees (column 3, lines 37-50). This step reads the Applicants' step of selectively covering portions of the gap.

Still further, Gambini discloses spiral spring 38 that yields to crop ends entering the opening 26. This step reads on the Applicants' step of automatically adjusting the covering of the gap.

Although Gambini discloses the separation of cropped ends of paper rolls from usable paper rolls in lieu of wood debris being separated from wood product, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the process of separating crop ends of rolls disclosed by Gambini by varying an opening between two conveyors is analogous to the Applicants' wood debris separation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the conveying/separating process of Gambini to convey wood products and separate wood debris from the wood products.

Regarding claim 12, spiral spring 38 acts to bias tongue 36 in the upper position and allow a portion of opening 26 to remain unblocked (see Figure 5). This step reads on the Applicants' step of biasing the covering of the gap to maximum coverage while still allowing the passage of debris through the gap.

Allowable Subject Matter

Claims 1-10 are allowed.

Art Unit: 3653


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571)272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mjb


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